

SONNENSCHN NATH & ROSENTHAL P.O. Box 061080 Wacker Drive Station, Sears Tower Chicago, IL 60606-1080 Attorney Customer Number: 026263 Phn: (312) 876-8000 Fax: (312) 876-7934	I hereby certify that this correspondence is being sent via facsimile at the United States Patent and Trademark Office on <u>4/21/03</u> Date of Facsimile <u>Paul E. Rauch, Ph.D.</u> Name of Applicant, assignee or Registered Representative <u>[Signature]</u> Signature
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Hanna A. Barnolker, et al.)	Examiner: Lynette T. Umez-Eronini
Serial No.: 09/927,863)	Group Art Unit No.: 1765
Filing Date: August 10, 2001)	Attorney Docket No.: 09799940-0097
For: Methods of Forming Semiconductor)	
Structures Having Reduced Defects, and)	
Articles and Devices Formed Thereby)	

RESTRICTION RESPONSE

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Responsive to the Official Action of March 27, 2003, Applicants elect, with traverse
Claims 1-23 and 30.

RESTRICTION RESPONSE

The Office has restricted the present application as follows:

Group I - Claims 1-23 and 30, drawn to a method of making a semiconductor device;

Group II - Claims 24-29, drawn to a semiconductor wafer.

Applicants elect, with traverse, Group I, Claims 1-23 and 30.

Serial No. 09/927,863

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Restriction is only proper if the identified groups are independent or distinct. The burden is on the Office to provide reasons and or examples to support its conclusion that the identified groups are independent or distinct. M.P.E.P. § 803.

The Office has characterized the relationship between Group I and Group II as a process of making and product made. Citing M.P.E.P. § 806.05(f), the Office has asserted that the semiconductor structure of Group II can be made by another and material different process, such as one that requires wet etching. However, the office has failed to explain how this other method is materially different from the claimed process, nor has the office provided sufficient detail about this other process for one to determine if it is materially different. Applicants submit that the Office has not met the burden necessary in order to sustain the Restriction Requirement.

Withdrawal is therefore respectfully requested.

Respectfully submitted,
SONNENSCHN NATH & ROSENTHAL
Attorneys for Applicant

By: 

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